

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: DIGITEK PRODUCTS LIABILITY
LITIGATION**

MDL No. 1968

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-37)

On August 13, 2008, the Panel transferred 8 civil action(s) to the United States District Court for the Southern District of West Virginia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* 571 F.Supp.2d 1376 (J.P.M.L. 2008). Since that time, 291 additional action(s) have been transferred to the Southern District of West Virginia. With the consent of that court, all such actions have been assigned to the Honorable Joseph R Goodwin.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of West Virginia and assigned to Judge Goodwin.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Southern District of West Virginia for the reasons stated in the order of August 13, 2008, and, with the consent of that court, assigned to the Honorable Joseph R Goodwin.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of West Virginia. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

Inasmuch as no objection is pending at this time, the stay is lifted.

Dec 07, 2010

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

**IN RE: DIGITEK PRODUCTS LIABILITY
LITIGATION**

MDL No. 1968

SCHEDULE CTO-37 – TAG-ALONG ACTIONS

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
FLORIDA MIDDLE			
FLM	8	10-02344	McDaniel v. Actavis Totowa, LLC et al
FLM	8	10-02345	Lynn v. Actavis Totowa, LLC et al



Activity in Case MDL No. 1968 IN RE: Digitek Products Liability Litigation

JPMLCMECF to: JPMLCMDECF

12/07/2010 08:10 AM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

United States

United States Judicial Panel on Multidistrict Litigation

Notice of Electronic Filing

The following transaction was entered on 12/7/2010 at 8:10 AM EST and filed on 12/7/2010

Case Name: IN RE: Digitek Products Liability
Litigation

Case Number: [MDL No. 1968](#)

Filer:

**Document
Number:** No document attached

Docket Text:

*****TEXT ONLY ENTRY*****

**MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-37)
Finalized on 12/07/10. Please see pleading (4 in FLM/8:10-cv-02344, 4 in
FLM/8:10-cv-02345, 195 in MDL No. 1968).**

**As stipulated in Rule 7.1(c) of the Rules of Procedure of the Judicial Panel on
Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has
been stayed 7 days to give any party an opportunity to oppose the transfer.**

**The 7-day period has now elapsed, no opposition was received, and the order is
directed to the Clerk of the United States District Court for the S.D. West Virginia
for filing. The Panels governing statute, 28 U.S.C. 1407, requires that the
transferee clerk transmit a certified copy of the Panels order to transfer to the
clerk of the district court from which the action is being transferred.**

Signed by Clerk of the Panel Jeffery N. Luthi on 12/7/2010.

Associated Cases: MDL No. 1968, FLM/8:10-cv-02344, FLM/8:10-cv-02345 (TB)

Case Name: McDaniel v. Actavis Totowa, LLC et
al

Case Number: [FLM/8:10-cv-02344](#)

Filer:

**Document
Number:**

No document attached

Docket Text:

*****TEXT ONLY ENTRY*****

**MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-37)
Finalized on 12/07/10. Please see pleading (4 in FLM/8:10-cv-02344, 4 in
FLM/8:10-cv-02345, 195 in MDL No. 1968).**

**As stipulated in Rule 7.1(c) of the Rules of Procedure of the Judicial Panel on
Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has
been stayed 7 days to give any party an opportunity to oppose the transfer.**

**The 7-day period has now elapsed, no opposition was received, and the order is
directed to the Clerk of the United States District Court for the S.D. West Virginia
for filing. The Panels governing statute, 28 U.S.C. 1407, requires that the
transferee clerk transmit a certified copy of the Panels order to transfer to the
clerk of the district court from which the action is being transferred.**

Signed by Clerk of the Panel Jeffery N. Luthi on 12/7/2010.

Associated Cases: MDL No. 1968, FLM/8:10-cv-02344, FLM/8:10-cv-02345 (TB)

Case Name: Lynn v. Actavis Totowa, LLC et
al

Case Number: [FLM/8:10-cv-02345](#)

Filer:

**Document
Number:**

No document attached

Docket Text:

*****TEXT ONLY ENTRY*****

**MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-37)
Finalized on 12/07/10. Please see pleading (4 in FLM/8:10-cv-02344, 4 in
FLM/8:10-cv-02345, 195 in MDL No. 1968).**

**As stipulated in Rule 7.1(c) of the Rules of Procedure of the Judicial Panel on
Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has
been stayed 7 days to give any party an opportunity to oppose the transfer.**

**The 7-day period has now elapsed, no opposition was received, and the order is
directed to the Clerk of the United States District Court for the S.D. West Virginia**

for filing. The Panels governing statute, 28 U.S.C. 1407, requires that the transferee clerk transmit a certified copy of the Panels order to transfer to the clerk of the district court from which the action is being transferred.

Signed by Clerk of the Panel Jeffery N. Luthi on 12/7/2010.

Associated Cases: MDL No. 1968, FLM/8:10-cv-02344, FLM/8:10-cv-02345 (TB)

No public notice (electronic or otherwise) sent because the entry is private



Activity in Case MDL No. 1968 IN RE: Digitek Products Liability Litigation
JPMLCMECF to: JPMLCMDECF

12/07/2010 08:08 AM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

United States

United States Judicial Panel on Multidistrict Litigation

Notice of Electronic Filing

The following transaction was entered on 12/7/2010 at 8:07 AM EST and filed on 12/7/2010

Case Name: IN RE: Digitek Products Liability
Litigation

Case Number: [MDL No. 1968](#)

Filer:

**Document
Number:** [195](#)

Docket Text:

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-37) 2 action(s) re: pldg. (2 in FLM/8:10-cv-02344, 2 in FLM/8:10-cv-02345, 193 in MDL No. 1968) Inasmuch as no objection is pending at this time, the stay is lifted.

Signed by Clerk of the Panel Jeffery N. Luthi on 12/7/2010.

Associated Cases: MDL No. 1968, FLM/8:10-cv-02344, FLM/8:10-cv-02345 (TB)

Case Name: McDaniel v. Actavis Totowa, LLC et
al

Case Number: [FLM/8:10-cv-02344](#)

Filer:

**Document
Number:** [4](#)

Docket Text:

CONDITIONAL TRANSFER ORDER FINALIZED (CTO-37) 2 action(s) re: pldg. (2 in

**FLM/8:10-cv-02344, 2 in FLM/8:10-cv-02345, 193 in MDL No. 1968) Inasmuch as no objection is pending at this time, the stay is lifted.
Signed by Clerk of the Panel Jeffery N. Luthi on 12/7/2010.**

Associated Cases: MDL No. 1968, FLM/8:10-cv-02344, FLM/8:10-cv-02345 (TB)

Case Name: Lynn v. Actavis Totowa, LLC et al
Case Number: [FLM/8:10-cv-02345](#)
Filer:
Document Number: [4](#)

Docket Text:

**CONDITIONAL TRANSFER ORDER FINALIZED (CTO-37) 2 action(s) re: pldg. (2 in FLM/8:10-cv-02344, 2 in FLM/8:10-cv-02345, 193 in MDL No. 1968) Inasmuch as no objection is pending at this time, the stay is lifted.
Signed by Clerk of the Panel Jeffery N. Luthi on 12/7/2010.**

Associated Cases: MDL No. 1968, FLM/8:10-cv-02344, FLM/8:10-cv-02345 (TB)

MDL No. 1968 Notice has been electronically mailed to:

Fred Thompson, III fthompson@motleyrice.com

Rebecca A Betts rab@agmtlaw.com

MDL No. 1968 Notice will not be electronically mailed to:

FLM/8:10-cv-02344 Notice has been electronically mailed to:

Andy B. Steingold a.steingold@maneygordon.com

FLM/8:10-cv-02344 Notice will not be electronically mailed to:

FLM/8:10-cv-02345 Notice has been electronically mailed to:

FLM/8:10-cv-02345 Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP JPMLStamp_ID=1090522767 [Date=12/7/2010]

[FileNumber=157953-0]

[3cfda64e01701b82f9b359286aa4421f6e662e12c9f0f1c6c3547b55f3b619c123ef2
4f6785cf786ae26bac7de6092fec0079f20aec02032508d8828757b3364]]